

## REMARKS

This Application has been carefully reviewed in light of the Office Action mailed June 14, 2005. At the time of the Office Action, Claims 1, 5-12 and 15-22 were pending in this Application. Claims 1, 5-12 and 15-22 were rejected. Claims 1 and 12 have been amended to further define various features of Applicants' invention. Claim 23 has been added. Applicants respectfully request reconsideration and favorable action in this case.

### Claim rejections 35 USC §102

Claims 1-3, 6-7, 9-14, 16-17, and 19-21 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,167,464 issued to Robert J. Kretschmann ("Kretschmann"). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1997). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

According to independent claims 1 and 12, the wireless device identifies all automation components with which communication can be established. Furthermore, the distance to these automation components will be determined. The wireless device then displays these automation components either as a text list or graphically on, for example, a map. Furthermore, the closest automation component is indicated on the display by highlighting or using a special symbol.

The Examiner stated that Kretschmann discloses these limitations. Applicants respectfully disagree. Kretschmann does not disclose to establish communication with a plurality of different automation components. Kretschmann merely discloses communication with a single automation component. Furthermore, Kretschmann does not disclose visualizing the location of the different automation components. The Examiner stated that a bar code reader is a visualization device. Applicants respectfully disagree. A bar code reader

merely encodes a graphical code but does not visualize anything. Even though Applicants disagree with the Examiner's interpretation of the former claims, Applicants amended the independent claims to more clearly define the present invention by using the term display instead of visualization device. Therefore, Applicants believe that the amended independent claims are not anticipated by the prior art. The dependent claims include all the limitations of the independent claims and are, thus, patentable at least to the extent of the respective independent claims. Therefore, Applicants respectfully request allowance of all pending claims.

**Information Disclosure Statement**

Applicants acknowledge that Examiner crossed out and did not consider Reference Numbers 2 and 3 (DE 19509836 and DE 19853013) listed in the Information Disclosure Statement and PTO-Form 1449 filed November 29, 2004, since they did not contain translations. Therefore, Applicants respectfully submit DE 19509836 and DE 19853013 for reconsideration, along with the English Abstract and also the U.S. Patent counterparts, in a new Information Disclosure Statement and PTO Form 1449, along with a check in the amount of \$180.00, for the Examiner's review and reconsideration.

**Change of Correspondence Address**

Applicants respectfully request that all papers pertaining to the above-captioned patent application be directed to Customer No. 31625 and all telephone calls should be directed to Andreas H. Grubert at 512.322.2545.

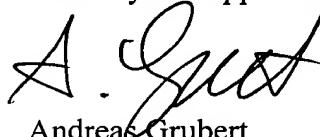
### CONCLUSION

The application as defined in the pending claims is patentable under 35 U.S.C. §102 and §103 in view of the cited prior art. Therefore, Applicants respectfully request withdrawal of the rejection and allowance of all pending claims.

Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Deposit Account No. 50-2148, (*formerly Baker & Botts, L.L.P.*) Order Number 071308.0240

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,  
BAKER BOTT S L.L.P.  
Attorney for Applicants



Andreas Grubert  
Limited Recognition No. L0225  
Limited Recognition Under 37 C.F.R. §11.9(b)

Date: August 15, 2005

SEND CORRESPONDENCE TO:  
BAKER BOTT S L.L.P.  
CUSTOMER ACCOUNT NO. **31625**  
512.322.2545  
512.322.8383 (fax)



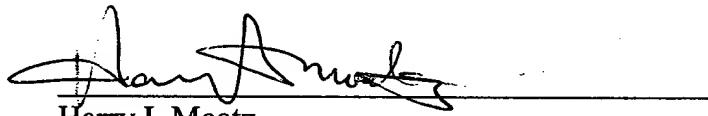
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 11.9(b)**

Mr. Andreas Horst Lothar Grubert is hereby given limited recognition under 37 CFR §11.9(b) as an employee of Baker Botts LLP, to prepare and prosecute patent applications for clients of Baker Botts LLP in which a member of Baker Botts LLP is the attorney of record. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Mr. Andreas Horst Lothar Grubert ceases to lawfully reside in the United States, (ii) Mr. Andreas Horst Lothar Grubert's employment with Baker Botts LLP ceases or is terminated, or (iii) Mr. Andreas Horst Lothar Grubert ceases to remain or reside in the United States on an H-1B visa.

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